

GEVORGIAN, S. et al.
Serial No. 10/781,930

Atty Dkt: 4127-13
Art Unit: 2817

REMARKS/ARGUMENTS

Reexamination of the captioned application is respectfully requested.

A. SUMMARY OF THIS AMENDMENT

By the current amendment, Applicants basically:

1. Amend the specification to moot the specification formality objections raised on the second and third pages of the office action.
2. Cancel claims 29 and 31 without prejudice or disclaimer.
3. Amend claims 1, 4, 6, 7, 9-12, 14-16, 18-24 and 26-27 to moot the rejections under 35 USC §112, second paragraph, primarily in the manner suggested by the office action.
4. Thank the Examiner for the allowance of claims 1 – 3, 13, 14, 17, 21, 22, 24, 27, 28, and 30.
5. Request that the Examiner consider the reference submitted with the Information Disclosure Statement (IDS) filed on May 25, 2004 (a copy of the Information Disclosure Statement (IDS) and proof of filing are attached, as well as a form PTO-1449).

B. THE SPECIFICATION

Applicants believe that the amendments and/or remarks presented herein fairly address and moot the formality objections to the specification. Applicants have deleted the incorporation by reference of the IEEE article on page 13 of the specification. The article is not essential to an understanding of the invention. While the incorporation occurred in the detailed description portion of the specification, please note that the IEEE article merely elaborated upon a low order modes of operation in the context of a discussion of Fig. 2. Fig. 2 is clearly noted in the Brief Description portion of the specification (page 9, line 15) as a state of the art resonator. Therefore, in describing a

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known mode of a state of the art resonator, the subject matter of the IEEE article is not essential.

Applicants notice the objection to the disclosure that "all reference labels appearing in the drawings figures should be correspondingly described in the specification" (see page 3, first full ¶, of the office action). Applicants are unaware of any numbered drawing feature which is not discussed in the specification. If the Examiner has a particular element of concern, the Examiner is urged to contact the undersigned telephonically to arrange for an expeditious resolution.

C. THE PATENTABILITY OF THE CLAIMS

Applicants thank the Examiner for the allowance of claims 1 – 3, 13, 14, 17, 21, 22, 24, 24, 27, 28, and 30. Applicants believe that the amendments to the claims render all claims allowable.

D. REQUEST FOR CONSIDERATION OF PREVIOUS IDS

Applicants have no indication that the Information Disclosure Statement (IDS) filed on May 25, 2004 has been considered. Therefore, Applicants request that the Examiner consider the reference submitted with the Information Disclosure Statement (IDS) filed on May 25, 2004. For this purpose, a copy of the May 25, 2004 Information Disclosure Statement (IDS) and proof of filing are attached, as well as a form PTO-1449.

E. MISCELLANEOUS

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

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Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,
NIXON & VANDERHYE P.C.

By: H. Warren Burnam, Jr.

H. Warren Burnam, Jr.
Reg. No. 29,366

HWB:ish
901 North Glebe Road, 11th Floor
Arlington, VA 22203
Telephone: (703) 816-4000
Facsimile: (703) 816-4100